



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

Via Electronic Mail and U.S. Postal Service

August 6, 2012

Mr. Craig Wilkinson
Titanium Metals Corporation
181 Water Street
Black Mountain Industrial Center
Henderson, NV 89015

Re: Toxic Substances Control Act (TSCA), Polychlorinated Biphenyls (PCBs): J-2 Landfill Risk-Based PCB Characterization Work Plan, TIMET Facility, Henderson, Nevada (PCB Work Plan) – USEPA Region 9 Conditional Approval

Dear Mr. Wilkinson:

Thank you for submitting the subject PCB Work Plan dated March 2012 that Environmental Resources Management (ERM) prepared on behalf of Titanium Metals Corporation (TIMET). The U.S. Environmental Protection Agency Region 9 (USEPA) is approving the PCB Work Plan with the conditions established below based on our review of the work plan and related July 12 and 25, 2012 discussions. This approval is being granted under the risk-based PCB cleanup option in 40 CFR 761.61(c) of TSCA.

USEPA's Conditions of Approval – TIMET's PCB Work Plan

- 1. Additional waste samples.** Two additional soil samples will be collected in the locations depicted in the attached Figure 3 (J-2 Landfill Risk-Based Characterization Sample Locations Titanium Metals Corporation of America) at 0 to 6 inches below ground surface. One of the two samples will be located at the midpoint between sampling locations J2-26 and J2-27 but west of the grid line that is west of those sample locations. The second sample will be located at the midpoint between sample locations J2-27 and J2-28 but west of the grid line that is west of those sample locations.
- 2. Screening level for site characterization.** Preliminarily, we have agreed to a 1 part per million (ppm) screening level (SL) for characterization of waste in the J2 Landfill. The total PCB concentration for each sample should be calculated by adding the PCB congeners detected in each sample analyzed via USEPA Method 1668C.

The 95% upper confidence limit (UCL) of the mean of the characterization data to be collected at the J2 Landfill will be compared to the SL. If the UCL is below the 1 ppm SL, additional characterization may not be necessary. If the UCL is above the 1 ppm SL, hot spots would be removed to lower the UCL; and after hot spot removal the UCL would be recalculated and again compared to the 1 ppm SL. If the UCL is still above the SL after removal of hot spots, TIMET and

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USEPA will meet to discuss the characterization data and decide next steps, which may involve considering a risk evaluation.

3. **Human health risk assessment.** Section 3.0 of the PCB Work Plan describes the health risk assessment proposed by TIMET to evaluate risks from PCBs if PCBs are found at the J2 Landfill. USEPA is not approving Section 3.0 at this time. Based on the decisions made in relation to Condition 2 above, USEPA and TIMET will discuss the risk assessment approach proposed by TIMET to reach agreement on the scope of the risk assessment.
4. **Sampling Equipment Decontamination Standard Operating Procedures (SOP), PCB Work Plan.** TIMET must propose the decontamination procedure for large equipment (e.g., backhoes, augers, and down-hole equipment) under 40 CFR 761.79(h) of TSCA if not using the self implementing decontamination procedures in 40 CFR 761.79(c)(2). We note the SOP does not provide the method by which decontamination rinsate and other decontamination residues will be collected. Please refer to Conditions 5 and 6 below.
5. **Disposal of decontamination wastes and residues.** Waste or residues generated during decontamination must be disposed consistent with the requirements in 40 CFR 761.79(g).
6. **Decontamination activities.** TIMET must ensure that decontamination activities are conducted consistent with the requirements in 40 CFR 761.79(e), in a manner that is protective of human health and the environment and that prevents and controls releases into the environment.
7. **Sampling and recordkeeping.** TIMET must keep decontamination records in accordance with 40 CFR 761.79(f)(2).

We look forward to being of assistance during TIMET's implementation of the PCB Work Plan. If you have any questions concerning this approval, please call Carmen D. Santos at 415.972.3360. Thank you for your courtesies and cooperation in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Scott for".

Jeff Scott, Director
Waste Management Division

Enclosure

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Cc Via Electronic Mail Only

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